

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 10:00 A.M. Present: Honorable Herbert I. Levy, Acting Presiding Justice; Honorable Dennis A. Cornell, Associate Justice; Honorable Betty L. Dawson, Associate Justice; and Leisa V. Biggers, Clerk/Administrator, by Anthony Lauria, Senior Deputy Clerk.

**F046339 County of Stanislaus v. Rokhideh; Dardon**

Cause called and argued by John Hollenback, Esq., counsel for appellant Dioselina Dardon and by E.F. Cash-Dudley, Esq., counsel for respondent Faramarz Rokhideh.

Cause ordered submitted.

**F046934 People v. Shine**

Cause called and argued by Randy Kravis, Esq., counsel for appellant and by Jesse Witt, Esq., Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

**F045535 County of Fresno v. Sanchez**

Cause called and argued by Celestino Sanchez, Jr., appellant in Propria Persona and by James Ching, Esq., Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

Court recessed until 1:30 P.M.

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The court reconvened in its courtroom at 1:30 P.M. Present: Honorable James A. Ardaiz, Presiding Justice; Honorable Nickolas J. Dibiaso, Associate Justice; Honorable Thomas A. Harris, Associate Justice; and Leisa V. Biggers, Clerk/Administrator, by Lisa J. Prosser, Senior Deputy Clerk.

**F045349) Stewart Title Guaranty Co. et al. v. Fallgatter et al.**  
**F046007)**

Cause called and argued by Michael J. Veiluva, Esq., counsel for plaintiff, appellant Stewart Title Guaranty Co. and by James H. Treadwell, Esq., counsel for plaintiff, appellant The Prudential Insurance Company of America, by Marshall C. Whitney, Esq., counsel for defendant, appellant Thomas Fallgatter and by Olga A. Balderama, Esq., counsel for defendant, appellant Klein, DeNatale, etc.. John B. Linford, Esq., counsel for respondent Milham Farms, Inc. waived oral argument.

Submission deferred.

At this point Ardaiz, P.J., Dibiaso, J. and Harris, J. leave the bench; they are replaced by Levy, Acting P.J., Cornell, J. and Dawson, J.

**F045199 People v. Miller**

Cause called and argued by Michael Satris, Esq., counsel for appellant. Lloyd G. Carter, Esq., Deputy Attorney General, counsel for respondent waived oral argument.

Cause ordered submitted.

Court recessed until Monday, November 21, 2005 at 10:00 A.M.

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- F047181      In re the Marriage of Tanya and Stephen Batchelder**  
The judgment is affirmed. Cornell, J.  
We concur: Dibiaso, Acting P.J.; Levy, J.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F045583      People v. Allen**  
The judgment is affirmed. Cornell, J.  
We concur: Dibiaso, Acting P.J.; Levy, J.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F048941      Laura S. v. The Superior Court of Madera County; Madera County  
Department of Public Welfare**  
The above-entitled case is submitted for decision.
- F049000      Richard A. v. The Superior Court of Tulare County; Tulare County Health  
and Human Services Agency**  
The above-entitled case is submitted for decision.
- F047549      In re Kathie D., et al., Minors**  
The judgment is affirmed. Cornell, J.  
We concur: Dibiaso, Acting P.J.; Levy, J.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F046154      Ennis Homes, Inc. v. Rancho Lucerne Valley Public Financing Authority**  
The judgment is affirmed. Costs on appeal are awarded to  
respondent. Levy, Acting P.J.;  
We concur: Cornell, J.; Dawson, J.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F045994      People v. Evans**  
Oral argument having been waived in the above-entitled case in  
accordance with the provisions of a notice mailed to counsel, the  
calendar date heretofore set is vacated and the case is submitted for  
decision.

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- F045994      People v. Evans**  
The judgment is affirmed. Ardaiz, P.J.  
We concur: Vartabedian, J.; Dawson, J.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F048741      In re Sara B., a Minor; Merced County Human Services Agency v. Cristal B.**  
The above-entitled case is submitted for decision.
- F048741      In re Sara B., a Minor; Merced County Human Services Agency v. Cristal B.**  
IT IS HEREBY ORDERED that the appeal in the above-entitled  
action is dismissed.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F046842      People v. Dodd**  
Counsel having failed to request oral argument in the above-  
entitled case, oral argument is deemed waived in accordance with the  
provisions of a notice heretofore mailed to counsel and the cause is  
submitted.
- F046842      People v. Dodd**  
The judgment is affirmed.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F046813      People v. Cude**  
Counsel having failed to request oral argument in the above-  
entitled case, oral argument is deemed waived in accordance with the  
provisions of a notice heretofore mailed to counsel and the cause is  
submitted.
- F046813      People v. Cude**  
The judgment is affirmed.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F047136      In re Jose R., a Minor**  
The above-entitled case is submitted for decision.

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**F047136**      **In re Jose R., a Minor**  
The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]